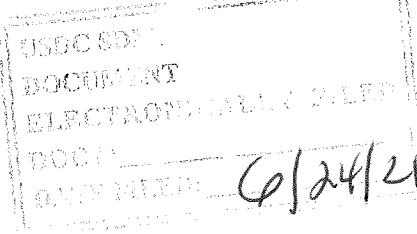


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x
TYRONE HOUSTON, :
Plaintiff, :
:-----

v. :
MICHAEL CAPRA, Individually, and as :
superintendent of Sing Sing Correctional :
Facility, et al., :
Defendants. :
-----x



FOURTH AMENDED
ORDER OF SERVICE

20 CV 2135 (VB)

On April 26, 2021, plaintiff filed an amended complaint naming seventeen new defendants. (Doc. #79). On April 30, 2021, the Court issued a Third Amended Order of Service, directing the Clerk of Court to issue summonses as to the new defendants and to deliver to the U.S. Marshals Service all documents necessary to effect service on the new defendants.

On June 23, 2021, counsel for the New York Attorney General's Office ("NYAG") informed the Court that one of the newly named defendants, "B. Mazzone," had not yet been served and that the U.S. Marshals Service did not have an order to serve defendant B. Mazzone. NYAG also sought an extension for all defendants to answer, move, or otherwise respond to the complaint to August 9, 2021.

Accordingly, it is HEREBY ORDERED that:

1. The Clerk of Court is instructed to complete the USM-285 form with the address for B. Mazzone, listed below, and deliver all documents necessary to effect service on that defendant to the U.S. Marshals Service:

B. Mazzone
Fishkill Correctional Facility
18 Strack Drive
Beacon NY 12508-0307

2. All defendants' time to answer, move, or otherwise respond to the amended complaint is extended to August 9, 2021.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of an appeal. Cf. Coppededge v. United States, 369 U.S. 438, 444–45 (1962).

Chambers will mail a copy of this Order to the address listed on the docket. Plaintiff is reminded to notify the Court in writing if his address changes, and that the Court may dismiss the action if plaintiff fails to do so.

Dated: June 24, 2021

White Plains, NY

SO ORDERED:



Vincent L. Briccetti
United States District Judge